

ACE

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

IRON WORKERS' MID-AMERICA  
PENSION PLAN, *et al.*,

Plaintiffs,

VS.

AREA ERECTORS, INC., an Illinois corporation, and CRAIG SHELTON, an individual.

Defendants.

Case No. 11 C 3522

MAGISTRATE JUDGE  
ARLANDER KEYS

### AGREED ORDER OF DISMISSAL

The Parties hereby agree that this case has been settled and that all issues and controversies have been resolved to their mutual satisfaction. The Parties request the Court to retain jurisdiction to enforce the terms of their Settlement Agreement under the authority of Kokkonen v. Guardian Life Insurance Company of America, 511 U.S. 375, 381-82 (1994).

IT IS HEREBY ORDERED:

1. The Parties shall comply with the signed Settlement Agreement, dated October 21, 2011. The Parties expressly waive their rights under Federal Rule of Civil Procedure 65 (d) to the extent Rule 65 (d) requires this Order to be specific in terms or to describe in reasonable detail and without reference to the Settlement Agreement, the act or acts to be restrained.

2. By the consent of the Parties, the Court shall retain jurisdiction for the purpose of enforcing the terms of the Settlement Agreement.

3. This case is dismissed without prejudice with leave to reinstate on or before December 31, 2012 for the purpose of enforcing the settlement. This Agreed Order of Dismissal is entered without prejudice in order to allow the Court to enforce the Settlement Agreement. The Parties are barred from relitigating any claims raised in this litigation or any claims released by means of the Settlement Agreement.

4. In the event a motion to reinstate or motion to enforce the settlement is not filed on or before December 31, 2012, the Court shall relinquish jurisdiction and the case shall be deemed dismissed with prejudice without further order of the Court. Each Party shall bear its own attorneys' fees and costs, except as otherwise specified in the Settlement Agreement.

ENTERED:

Dated: October 24, 2011

  
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The Honorable Arlander Keys

We hereby agree to the entry of this Order:

Iron Workers Mid-America Pension Plan, *et al.*

/s/ Patrick N. Ryan

One of the Attorneys for the Plaintiffs

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